



## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 22-78; RM-11918; DA 22-516; FR ID 87343]

#### Television Broadcasting Services Wichita, Kansas

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** On February 23, 2022, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking (NPRM)* in response to a petition for rulemaking filed by Gray Television Licensee, LLC (Petitioner), the licensee of KSCW-DT (Station), channel 12, Wichita, Kansas, requesting the substitution of channel 28 for channel 12 at Wichita in the Table of Allotments. For the reasons set forth in the *Report and Order* referenced below, the Bureau amends Federal Communications Commission (FCC or Commission) regulations to substitute channel 28 for channel 12 at Wichita.

**DATES:** Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647 or [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The proposed rule was published at 87 FR 12641 on March 7, 2022. The Petitioner filed comments in support of the petition reaffirming its commitment to apply for channel 28. No other comments were filed.

According to the Petitioner, the channel change will resolve significant over-the-air reception problems in the Station's existing service area. The Petitioner further states that the Commission has recognized the deleterious effects manmade noise has on the reception of digital very high frequency (VHF) signals, and that the propagation characteristics of these channels allow undesired signals and noise to be receivable at relatively farther distances compared to ultra high frequency (UHF) channels and nearby electrical devices can cause interference. Although the

proposed channel 28 noise limited contour will fall slightly short of the licensed channel 12 noise limited contour, a terrain-limited analysis using the Commission's *TVStudy* software demonstrates that there is no predicted loss in population served.

This is a synopsis of the Commission's *Report and Order*, MB Docket No. 22-78; RM-11918; DA 22-516, adopted May 11, 2022, and released May 11, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

The Commission will send a copy of the *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

### **List of Subjects in 47 CFR Part 73**

Television.

FEDERAL COMMUNICATIONS COMMISSION.

**Thomas Horan,**  
*Chief of Staff,*  
*Media Bureau.*

**Final Rule**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

**PART 73 -- RADIO BROADCAST SERVICES**

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

2. In § 73.622(j), amend the Table of Allotments under Kansas by revising the entry for Wichita to read as follows:

**§ 73.622 Digital television table of allotments.**

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(j) \*\*\*

| Community     | Channel No.    |
|---------------|----------------|
| *****         |                |
| <b>KANSAS</b> |                |
| *****         |                |
| Wichita       | 10, 15, 26, 28 |
| *****         |                |

[FR Doc. 2022-10719 Filed: 5/18/2022 8:45 am; Publication Date: 5/19/2022]